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UNITED STATES OF AMERICA
DEPARTMENT OF TRANSPORTATION
OFFICE OF THE SECRETARY
WASHINGTON, DC

Issued by the Department of Transportation on June 14, 2001

NOTICE OF ACTION TAKEN -- DOCKET OST-96-1375 - 5

This serves as notice to the public of the action described below, taken by the Department official indicated (no additional confirming order will be issued in this matter).

Application of United Air Lines, Inc., filed 6/22/98 to:

XX Renew allocation of 3.5 weekly U.S.-Ukraine combination frequencies to provide the following service:

Scheduled foreign air transportation of persons, property, and mail between points in the United States and Kiev, Ukraine, via Frankfurt, the Federal Republic of Germany. United operates this service under a code-share arrangement with Lufthansa Airlines.

Applicant rep: Jeffrey Manley, 202-663-6670 DOT Analyst: Sylvia Moore, 202-366-6519

DISPOSITION

XX **Granted** (subject to conditions, see below)

The above action was effective when taken: June 14, 2001, and will remain in effect, provided that United continues to hold the necessary underlying authority to serve the U.S.-Kiev market.

Action taken by: **Paul L. Gretch, Director**
Office of International Aviation

XX **The authority granted is consistent with the aviation agreements between the United States and the Ukraine, and the United States and Germany.**

Except to the extent exempted or waived, this authority is subject to the terms, conditions, and limitations indicated: XX **Holder's certificates of public convenience and necessity**

XX **Statement of authorization approving United/Lufthansa code-share operations (Order 98-4-8 issued April 8, 1998), and conditions therein**

Conditions: Consistent with our standard practice, the frequency allocation granted is subject to the condition that if any frequencies are not used for a period of 90 days, the allocation as to those frequencies will expire automatically and the unused frequencies will revert automatically to the Department for reallocation.

Remarks: The authority for which United requested renewal expired August 29, 1998, but had been kept in force pursuant to the provisions of the Administrative Procedure Act, 5 U.S.C. 558(c), as implemented by 14 CFR Part 377, pending action on United's timely filed renewal application.

(See Reverse Side)

Under authority assigned by the Department in its regulations, 14 CFR Part 385, we found that (1) our action was consistent with Department policy; and (2) grant of the authority was consistent with the public interest. To the extent not granted, we denied all requests in the referenced Docket. We may amend, modify, or revoke the authority granted in this Notice at any time without hearing at our discretion.

Persons entitled to petition the Department for review of the action set forth in this Notice under the Department's regulations, 14 CFR §385.30, may file their petitions within ten (10) days after the date of issuance of this Notice. This action was effective when taken, and the filing of a petition for review will not alter such effectiveness.

*An electronic version of this document is available on the World Wide Web at:
http://dms.dot.gov/reports/reports_aviation.asp*